



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: HUI, Raymond A. et al.  
Serial No: 10/622,524  
Filed: July 18, 2003  
For: COMPOUNDS, ANTIBODIES, REAGENT KITS,  
METHODS OF PRODUCING ANTIBODIES, AND  
METHODS OF DETECTING ANALYTES  
Art Unit: 1641  
Examiner: Mary Ceperley

**DECLARATION OF BIOLOGICAL DEPOSIT**

Assistant Commissioner for Patents  
Washington, DC 20231

December 16, 2005

Dear Sir:

I, Marilyn L. Amick, hereby state that:

1. The following cultures referred to in the specification of this application have been deposited:

Strain	Deposit No.
Cell line NEAMP 48.2	PTA-5295
Cell line NEAMP 62.1	PTA-5294

2. The dates of the above deposits are before the U.S. filing date of this application:

Strain	Date of Deposit
Cell line NEAMP 48.2	June 26, 2003
Cell line NEAMP 62.1	June 26, 2003

3. The name and address of the depository is:

American Type Culture Collection  
10801 University Blvd.  
Manassas, VA 20110-2209

4. A statement that the cultures deposited with the above named depository were viable and were capable of reproduction, if appropriate, on the date of deposit is attached. Such statement is executed by the depository.

5. With respect to the permanence of the cultures deposit, the depository is an official depository, in accordance with the Budapest Treaty for the above deposited cultures.

6. With respect to availability of the cultures, I affirm that the deposits have been made under conditions of assurance of (a) ready accessibility thereto by the public if a patent is granted whereby all restrictions to the availability to the public of the culture so deposited will be irrevocably removed upon the granting of the patent and (b) access to the culture will be available during the pendency of the patent application to one determined by the Commissioner to be entitled thereto under 37 CFR §1.14 and 35 USC §122.

7. I affirm that, should the microorganisms mutate, become nonviable or be inadvertently destroyed, Applicants will replace such microorganisms for at least 30 years from the date of the original deposit, or at least 5 years from the date of the most recent request for release of a sample or for the life of any patent issued on the above-captioned application, whichever period is longer.

December 16, 2005

*Marilyn Amick*

Marilyn L. Amick  
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# ATCC

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## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### *INTERNATIONAL FORM*

#### RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.

To: (Name and Address of Depositor or Attorney)

Roche Diagnostics Corporation, D223  
Attn: Richard T. Root  
9115 Hague Road  
Indianapolis, IN 46250

Deposited on Behalf of: Roche Diagnostics Corporation

Identification Reference by Depositor:	Patent Deposit Designation
Murine Hybridoma cell line: oLSD-20.2	PTA-5293
Murine Hybridoma cell line: NEAmp-62.1	PTA-5294
Murine Hybridoma cell line: NEAmp-48.2	PTA-5295

The deposits were accompanied by:        a scientific description        a proposed taxonomic description indicated above. The deposits were received June 26, 2003 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:   X   We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

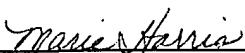
If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested July 8, 2003. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

  
\_\_\_\_\_  
Marie Harris, Patent Specialist, ATCC Patent Depository

Date: July 29, 2003

cc: Marilyn Amick  
Ref: Docket or Case No.: BMID 9971 D